



February 6, 2002

"There was 'no sound scientific basis' for last year's federal decision to withhold irrigation water from more than 1,000 Klamath Basin farms during last summer's severe drought, a national panel of scientists has concluded." – *The Oregonian*, February 4, 2002

Dear Representative,

This is just the latest example of why I ask you, on behalf of the thousands of county officials across America, to co-sponsor and support H.R. 2829, "The Sound Science for Endangered Species Act Planning Act," introduced by Representative Greg Walden. This important piece of legislation strengthens the Endangered Species Act (ESA) by shoring up the scientific standards used to make decisions under the Act.

Given the profound effects of listings on the lives and livelihoods of our citizens – in urban, suburban and rural counties, alike – it is only right that federal actions be demonstrably justified by impeccable scientific research. As it stands, the ESA requires that "the best scientific and commercial data available" be used for making decisions about protecting species, but it never defines those terms, permitting far-reaching actions to be taken on quite limited information. H.R. 2829 would require that standards be set and that empirical, field-tested or peer-reviewed data be given greater weight. It further mandates that decisions under the ESA be based on such "tried and true" data.

The opaque and seemingly secretive decision-making processes under current federal rules have long frustrated county officials. While under current law there is no provision for peer-review of scientific information used to make decisions, this bill provides for a panel of three non-biased scientists to review every listing, de-listing, recovery plan, or consultation under the ESA. The bill also improves opportunities for state, tribal and local governments to offer useful information and meaningfully engage in the consultation process. NACo welcomes the opportunity offered by H.R. 2829 to improve the credibility of agency conclusions by subjecting the data to scrutiny by independent scientists and others with useful information.

This common-sense bill clearly improves the Endangered Species Act, substantially increasing its ability to achieve its worthy goals. NACo strongly endorses it and urges you to do the same.

If we can be of any service to you or your staff in this matter, please contact NACo Associate Legislative Directors Paul Beddoe at 202.942.4234 or Stephanie Osborn at 202.942.4269.

Sincerely,

A handwritten signature in dark ink, appearing to read "Larry E. Naake". The signature is fluid and cursive, with the first name "Larry" being more prominent.

Larry E. Naake
Executive Director